

LOWNDES COUNTY BOARD OF COMMISSIONERS  
COMMISSION AGENDA ITEM

SUBJECT: REZ-2022-10 The Campus Transitional Care Facility - OCGA § 36-66-4(f) Public Hearing

DATE OF MEETING: September 13, 2022

Work Session/Regular Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: OCGA § 36-66-4(f) Public Hearing

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HISTORY, FACTS AND ISSUES: Redeemed Living, LLC filed the attached application to rezone approximately 23 acres located at 2193 Howell Road from Estate Agricultural (EA) to Planned Development (PD) for uses including a Transitional Care Facility.

The ULDC defines a Transitional Care Facility as follows: "A building or buildings in which is provided long-term but not permanent living accommodations for one or more persons who are in need of short term or long-term housing assistance, and in which may also be provided meals and social services including physical therapy, social therapy, emotional therapy, counseling, rehabilitation, or substance abuse recovery assistance."

A Transitional Care Facility is not a permitted use in the Estate Agricultural (EA) zoning. A Transitional Care Facility is a permitted use in the Non-Residential PD or PD-R zone. Supplemental Standards for Planned Development (PD) Districts are set forth in ULDC Section 4.06.00.

The subject property has frontage on Howell Road, a county road major collector (3,000- 6,000 vehicles per day). The current uses along this portion of Howell Road are predominantly a mixture of sparsely settled residential and agricultural parcels. The property is in the rural service area and depicted as an Agricultural/Forestry Character Area. Staff found the request inconsistent with the character area but consistent with the goals and policies of the Comprehensive Plan.

The Planning Commission heard the request and concerns of the neighbors and recommended denial by a vote of 8 to 2. The largest concerns for the Planning Commission were ensuring the proposed use was able to be developed on the subject property and that its impacts on the surround area were manageable.

OCGA § 36-66-4(f) provides: "When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, a public hearing shall be held on the proposed action. Such public hearing shall be held at least six months and not more than nine months prior to the date of final action on the zoning decision. The hearing required by this subsection shall be in addition to any hearing required under subsection (a) of this Code section."

The legal dictionary definition of a halfway house is: "A transitional housing facility designed to rehabilitate people who have recently left a prison or medical-care facility, or who otherwise need help in adjusting to unsupervised living."

Based on the ULDC definition of a Transitional Care Facility and the legal dictionary definition of a halfway house, OCGA § 36-66-4(f) requires a public hearing to be held on the proposed action at least six months and not more than nine months prior to the date of final action on the zoning decision. The hearing required by this subsection is in addition to the hearing required under subsection (a) of OCGA § 36-66-4.

Staff has given notice of a public hearing to be held pursuant to OCGA § 36-66-4(f) as required by OCGA § 36-66-4(f) and the ULDC by posting notice on the property, publication in the Valdosta Daily Times, and certified mail to adjacent property owners.

OPTIONS: 1. Hold public hearing pursuant to OCGA § 36-66-4(f)  
2. Redirect

RECOMMENDED ACTION: Board's Pleasure

DEPARTMENT: Planning/Zoning

DEPARTMENT HEAD: JD Dillard

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS: